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RCE

PTO/SB/30 (10-01)

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REQUEST
FORCONTINUED EXAMINATION (RCE)
TRANSMITTAL

Address to:
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Alexandria, VA 22313-1450

Application Number	09/976,228
Filing Date	October 12, 2001
First Named Inventor	Kleimer et al.
Art Unit	1615
Examiner Name	S. Howard
Attorney Docket Number	ARC 2427 N1 (3139-6184.1US)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114**
 - a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge any deficiency in the following fees, or credit any overpayments, to Deposit Account No. 20-1469
 - i. RCE fee required under 37 C.F.R. 1.17(e)
 - ii. Extension of time fee (37 C.F.R. 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$790.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Edgar R. Cataxinos	Registration No. (Attorney/Agent)	39,931
Signature		Date	October 18, 2004

CERTIFICATE OF MAILINGExpress Mail Label Number: EL_994827530 US || 10/21/2004 JADDD1 00000095 09976228Date of Deposit: October 18, 2004 5 01 FC:1801 790.00 OPPerson Making Deposit: Christopher Haughton

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kleimer et al.

Serial No.: 09/976,228

Filed: October 12, 2001

For: RATE CONTROLLING
MEMBRANES FOR CONTROLLED DRUG
DELIVERY DEVICES

Confirmation No.: 9517

Examiner: S. Howard

Group Art Unit: 1615

Attorney Docket No.: ARC 2196 N1
(3139-6184.1US)

Express Mail Mailing Label No.: EL 994827530 US

Date of Deposit with USPS: October 18, 2004

Person making Deposit: Christopher Haughton

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION
(RCE)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following amendments and remarks are filed with a Request for Continued Examination (RCE) and in response to the Examiner's remarks in the Final Office Action mailed July 27, 2004, the three-month shortened statutory period for response to which expires on October 27, 2004.

Listing of the Claims begins on page 2 of this paper.

Remarks begin on page 12 of this paper.